

**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DETERMINATION OF NEPA ADEQUACY (DNA)

NUMBER: DOI-BLM-CO-N05-2014-0108-DNA

CASEFILE/PROJECT NUMBER: COC76615 (Pipeline right-of-way)
COC76615-01 (Temporary Use Permit)

PROJECT NAME: Stake Springs Compressor Station Tie-In To Bargath's Gathering System

LEGAL DESCRIPTION: Sixth Principal Meridian, Colorado
T. 1 S., R. 98 W.,
sec. 29, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

APPLICANT: Bargath, LLC

DESCRIPTION OF PROPOSED ACTION: Bargath, LLC (Bargath) requests a right-of-way (ROW) for installation of a 6-inch buried steel natural gas pipeline from Mesa Energy's Stake Springs compressor station to the Bargath gathering system (ROW COC73844). The gas pipeline will transport Buckhorn Draw gas from the Stake Springs compressor station to Williams' Willow Creek gas plant.

The pipeline will start at the southern edge of Mesa Energy's existing Stake Springs compressor station and proceed alongside the south and east sides of the compressor station boundary in previously disturbed ground for 645 ft. The pipeline will then head northwest alongside the compressor station driveway for 318 ft until it intersects with County Road (CR) 91. It will then proceed on the southern side of CR 91 for 540 ft to tie-in with the Bargath gathering system. The total length of the pipeline ROW would be 1,503 feet. The width would be 75 feet for construction with a permanent width of 50 feet. The temporary use permit for construction of the pipeline would be 1,503 ft long, 25 ft wide, and contain approximately 0.86 acres. The permanent pipeline ROW would be 1,503 ft long, 50 ft wide, and contain approximately 1.73 acres.

Construction is estimated to begin in summer/fall of 2014. The pipeline would be installed by blading and trenching the surface. The trench width would be 24-inches. The pipeline would be buried with a minimum cover of 36-inches. The surface would then be restored using the trenched soil. All trees shall be purchased prior to construction from the BLM. All disturbed areas would be re-seeded using Native Seed Mix #5. Bargath would re-seed from late-September through mid-March.

Decision to be Made: The BLM White River Field Office (WRFO) will decide whether or not to grant the natural gas pipeline ROW and temporary use permit and, if so, under what conditions.

PLAN CONFORMANCE REVIEW:

Name of Plan: White River Record of Decision and Approved Resource Management Plan (ROD/RMP).

Date Approved: July 1, 1997

Decision Number/Page: 2-49

Decision Language: "To make public lands available for the siting of public and private facilities through the issuance of applicable land use authorizations, in a manner that provides for reasonable protection of other resource values."

REVIEW OF EXISTING NEPA DOCUMENTS:

Name of Document: White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

Date Approved: June 1996

Name of Document: DOI-BLM-CO-110-2011-0028- EA

Date Approved: 4/6/2011

NEPA ADEQUACY CRITERIA:

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

The Proposed Action is similar in location and nature to what has been previously analyzed. The Proposed Action is to construct a natural gas pipeline. The existing NEPA document (DOI-BLM-CO-110-2011-0028-EA) analyzed a natural gas pipeline and compressor station.

Two alternatives (Proposed Action and No Action Alternative), covering a reasonable range of alternatives, were analyzed in DOI-BLM-CO-110-2011-0028-EA. No reasons were identified to analyze additional alternatives, and these alternatives are considered to be adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Review by BLM WRFO specialists in this document (DOI-BLM-CO-N05-2014-0108-DNA) did not indicate recent endangered species listings or updated lists of BLM-sensitive species that would be affected by the Proposed Action.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Review by BLM WRFO specialists in this document (DOI-BLM-CO-N05-2014-0108-DNA) did not indicate there would be any direct, indirect, and cumulative effects from the Proposed Action that were not adequately addressed in DOI-BLM-CO-110-2010-0239-EA.

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

Internal scoping was initiated when the project was presented to the White River Field Office (WRFO) interdisciplinary team on 7/15/2014. External scoping was conducted by posting this project on the WRFO's on-line NEPA register on 7/15/2014. As of 8/21/2014, no comments or inquiries have been received.

INTERDISCIPLINARY REVIEW:

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 7/15/2014. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Michael Selle	Archaeologist	Cultural Resources, Native American Religious Concerns	7/17/2014
Ed Hollowed	Wildlife Biologist	Special Status Wildlife Species	7/15/2014
Justina Thorsen	Acting Ecologist	Special Status Plant Species	7/17/2014

REMARKS:

Cultural Resources: The proposed Stake Springs compressor station tie-in is located in an area that has been inventoried at the Class III (100 percent) pedestrian level (Conner 2005, compliance dated 6/17/2005), which did not identify any archaeological resources on the surface. However, monitoring of trenching operations in various alluvial environments in the Piceance Creek drainage system has identified the potential for buried resources (c. Berry *et al* 2012, compliance dated 10/12/2012). Trenching for the pipeline has an unknown potential to impact subsurface remains. There is an historic irrigation ditch located to the north of the proposed pipeline, but this site should be completely avoided by all activity related to the proposed pipeline. Should trenching impact any subsurface remains there is some potential for long term, permanent, irreversible and irretrievable loss of data from the regional archaeological database.

Native American Religious Concerns: No Native American religious concerns are known in the area, and none have been noted by Northern Ute Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

Paleontological Resources: The proposed pipeline lies in an area generally mapped as Quaternary Alluvium, which the BLM has categorized as a Potential Fossil Yield Classification (PFYC) 2 formation indicating it is not generally expected to produce fossil resources. However, the depth to the underlying sedimentary rock is unknown, and there is a potential to encounter the underlying sedimentary rock during pipeline trenching. The underlying rock formation is likely to be the Uinta Formation, which is categorized as a PFYC 5 formation indicating it is known to produce scientifically noteworthy fossil resources. If fossils are encountered, there is the potential for loss of noteworthy fossil and any paleo-environmental data associated with the fossils. Any such losses would constitute a permanent, long term, irreversible, and irretrievable loss of scientific data from the regional paleontological database.

Threatened and Endangered Wildlife Species: The Proposed Action and its influence on wildlife resources are identical to earlier assessments in DOI-BLM-CO-110-2011-0028-EA. The proposed pipeline would be located immediately adjacent to frequently travelled all-weather county roads in an open basin big sagebrush valley. Although site conditions are not conducive to the consistent support of any local wildlife population of concern, the project is scheduled for late summer/fall 2014 which does not coincide with the migratory bird nesting season or mule deer severe winter range occupation. Critical habitat for the endangered Colorado pikeminnow is far removed from this project (greater than 15 channel miles), but in the context of flow depletion from the Upper Colorado River system and Section 7 consultation requirements, water use associated with hydrostatic testing of gathering pipelines is integral with volumes calculated for individual wells. These volumes are reported annually to the U.S. Fish and Wildlife Service (FWS) consistent with the requirements of the Programmatic BA (i.e., Programmatic Biological Assessment for BLM's Fluid Minerals Program in Western Colorado, May 2008) and the FWS's accompanying Biological Opinion (i.e., ES/GJ-6-CO-08-F-0006).

Special Status Plant Species: The Proposed Action would occur approximately three miles south of the Duck Creek Area of Critical Environmental Concern and known populations of the

federally threatened Dudley Bluffs bladderpod (*Physaria congesta*). *Physaria congesta* is known to grow on both the Yellow Creek tongue and the Uinta tongue of the Green River Formation, most often on ridge-tops of white shale outcroppings. The Proposed Action would be located on soils of the Uinta formation, an area of potential habitat for *P. congesta*. Analysis of topography and aerial imagery indicated that suitable habitat for *P. congesta* was not likely to occur within 300 meters of the project, which would occur completely within existing disturbance. Due to distance from known occurrences and the unlikeliness of suitable habitat, the Proposed Action is not expected to have any conceivable impacts upon special status plant species.

REFERENCES CITED:

Armstrong, Harley J, and David G. Wolny

1989 Paleontological Resources of Northwest Colorado: A Regional Analysis. Museum of Western Colorado, Grand Junction, Colorado.

Berry, Michael, Carl Conner, James C. Miller, Courtney Groff and Holly Shelton

2005 Cultural Resource Monitoring Report for the Construction of the Meeker, To greasewood and PCP Loop Pipelines I Garfield and Rio Blanco Counties, Colorado for enterprise products, incorporated (USA). Grand River Institute, Grand Junction, Colorado. (12-11-24: OAHF RB.LM.R656)

Conner, Carl E.

2005 Class III Cultural Resources Inventory for Ten Proposed RGU Well Locations and Short Access Routes in Rio Blanco County, Colorado for Williams Production RMT [Fed RGU Well Nos.: 23-6-297, 13-36-198, 24-29-198, 31-30-198, 31-32-198, 33-32-198, 22-35-198, 44-1-298, 12-10-298D, 42-11-298]. Grand River Institute, Grand Junction, Colorado. (05-11-09: RB.LM.NR1666)

Tweto, Ogden

1979 Geologic Map of Colorado. United States Geologic Survey, Department of the Interior, Reston, Virginia.

MITIGATION:

The following applicable mitigation from DOI-BLM-CO-110-2011-0028-EA has been carried forward:

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.

3. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110 percent of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.

4. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the Bureau of Land Management's White River Field Office.

5. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

6. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the Bureau of Land Management's White River Field Office at (970) 878-3800.

7. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any substance that may pose a risk of harm to human health or the environment, regardless of that substance's status as exempt or non-exempt. Where the holder fails, refuses or neglects to provide for the immediate clean-up and testing of air, water (surface and/or ground) and soils contaminated by the emission or release of any quantity of a substance that poses a risk of harm to human health or the environment, the Bureau of Land Management's White River Field Office may take measures to clean-up and test air, water (surface and/or ground) and soils at the lessee/operator's expense. Such action will not relieve the holder of any liability or responsibility.

8. With the acceptance of this authorization, the commencement of development under this authorization, or the running of thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the holder, and through the holder, its agents, employees, subcontractors, successors and assigns, stipulates and agrees to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

9. Promptly revegetate all disturbed areas with Native seed mix #5 from the White River ROD/RMP also listed below. Seeding rates in the White River ROD/RMP are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. For broadcast application, double the seeding rate and then harrow to insure seed coverage. Applied seed must be certified and free

of noxious weeds, and seed certification tags must be submitted to the Authorized Officer. Woody debris will not be scattered on the pipeline until after seeding operations are completed.

White River Field Office Native Seed Mix #5	
Species	Seeding Rate Pure Live Seed (PLS)
Basin wildrye (Magnar)	2 lb/ac. PLS
Western wheatgrass (Rossana)	3 lb/ac. PLS
Bluebunch wheatgrass (Whitmar)	1 lb/ac. PLS
Thickspike wheatgrass (Critana)	2 lb/ac. PLS
Fourwing Saltbush (Wytana)	1 lb/ac. PLS
Alternates: Utah sweet vetch and Globemallow	

10. The area should be surveyed for the presence of noxious/invasive species before and after construction. If undesirable species are found, they shall be promptly eradicated using materials and methods approved in advance by the BLM authorized officer. If invasive, non-native species establish within the project area and spread onto adjoining BLM lands, the holder will be responsible for control of those populations.

11. Should the Proposed Action occur simultaneous with a wild horse gather, all project-related traffic would need to be coordinated with the BLM and the contractor for the gather.

12. To minimize the incidents of young foals becoming dislocated from their mare, crews would be required to slow or stop when wild horses are encountered, allowing the bands to move away at a pace slow enough so that the foal can keep pace and is not separated.

13. Place earthen trench plugs and/or ramps along the trench at well-defined wild horse trails intersected by open trench. Regularly inspect open trench for trapped animals and if injured animals are found contact the BLM.

14. All installed cattle guards at fence crossings associated with the pipeline will be upgraded to a horse proof cattle guard so that the risk of wild horses being trapped in any of the installed cattle guards is reduced.

15. If it becomes necessary to excavate into the underlying rock formation to prepare the pipeline trench for the pipelines, a paleontological monitor shall be present before and during all such excavations.

16. Paint and regularly maintain all above ground features (for example: valves, pigging stations, and pipe fence barriers) with Juniper Green (Standard Environmental Color Chart) within 6 months of completion.

17. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM. Woody materials required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Redistribution of woody debris will not exceed 20percent ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use.

18. Any range improvement projects such as fences or water developments that are damaged or destroyed as a result of implementation of the Proposed Action shall be promptly repaired or replaced to the degree of functionality prior to commencement of work associated with the Proposed Action. If construction occurs during the livestock use period listed above, the functionality of the allotment boundary fences in section 29 T1S R98W must be maintained through temporary fencing or gates which can be closed while crews are not present at these fence crossings.

19. Suppress dust in dry conditions utilizing water along the pipeline right-of-way where it is adjacent to CR 91 to minimize fugitive dust and maintain good visibility for traffic. Follow Rio Blanco County approved dust suppression methods along CR 91 to minimize dust generated from traffic on the road way.

20. All activities shall comply with all applicable local, State, and Federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, effectively coordinating with existing ROW holders, and implementing all applicable mitigation measures required by each permit.

21. The applicant shall provide the BLM Authorized Officer with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last

resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

22. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless there are safety concerns or if activities are otherwise approved by the Authorized Officer (AO).

23. In order to protect public land health standards for soils, erosion features such as riling, gullying, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the Realty Specialist and submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

24. Topsoil will be removed to a depth of 6-8 inches or as determined on-site by BLM in areas of surface disturbance and for soil storage planned for longer than one year. Topsoil piles will be covered, seeded, labeled and stored unmixed with other soils for spreading during reclamation.

25. During pipeline construction, the ROW will remain undisturbed to the maximum extent possible. That is, only the minimum necessary disturbance will occur to make the working surface safe and passable. Topsoil will not be removed under areas used for the storage of soils and, if possible, topsoil will not be removed from working surfaces.

26. Under no circumstances will topsoil, soil material below or adjacent to the trench spoils or subsoil excavated from the trench down to the ERD (Effective Rooting Depth) for the reclamation plants (Reclamation ERD) be used as padding in the trench, to fill sacks for trench breakers, or for any other use as construction material. Reclamation ERD will be a minimum of 16 inches and a maximum of 24 inches below the ground surface for all soils.

27. All areas where the topsoil has been removed and soils have become compacted will be ripped to a depth of 18 inches below the finished grade or to bedrock before topsoil is respread. Another suitable method of de-compaction may be used before topsoil is re-spread with approval of the BLM AO. Areas where the topsoil has not been removed, but have been compacted, must be de-compacted by disking or other methods to prepare the soils for reclamation.

28. If, after initial construction activities are completed and if soil productivity is diminished from its pre-disturbance condition, then reseeding, hydro-mulching or other efforts will be initiated to re-establish soil productivity during reclamation activities.

29. After pipeline construction activities are completed the holder will be responsible for taking measures to prevent off-road vehicle use along the pipeline ROW until reclamation has been successful or as directed by the AO.

Additional Mitigation (Updated Conditions of Approval for Cultural and Paleontological Resources)

30. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

31. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

32. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

33. The holder is responsible for informing all persons who are associated with the project operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically important fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.

34. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the holder will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project

35. All excavations into the alluvium of the drainages in the project shall be monitored by an approved archaeologist. The archaeologist must be present on site before the beginning of any excavations.

COMPLIANCE PLAN: On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after construction. Specific mitigation developed in this document will be followed. The operator will be notified of compliance related issues in writing, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

NAME OF PREPARER: Stacey Burke

NAME OF ENVIRONMENTAL COORDINATOR: Heather Sauls

CONCLUSION

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

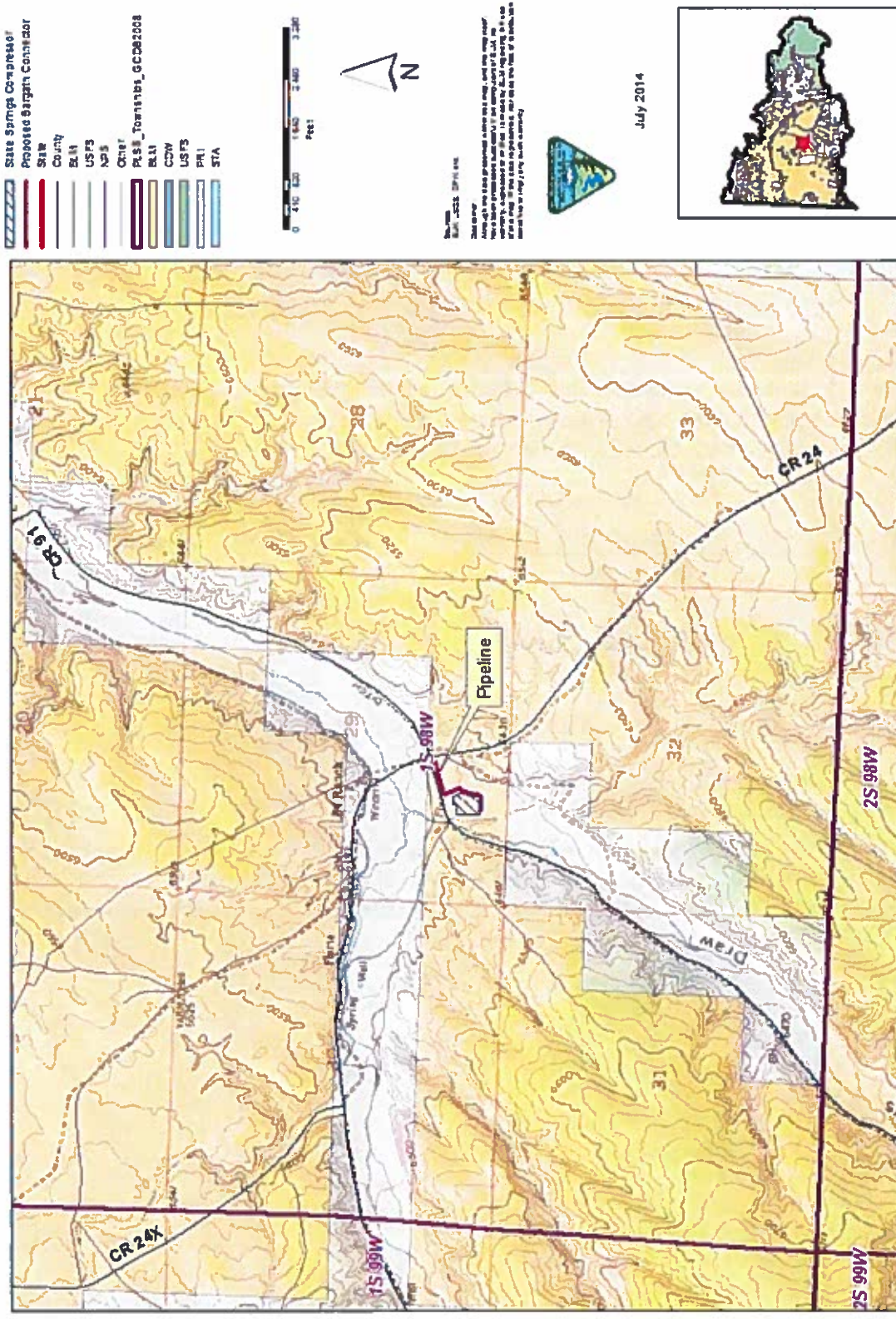
08/26/2014

ATTACHMENTS: Exhibit A - Map of Proposed Action

Note: The signed Conclusion in this DNA Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

Pipeline From Stake Springs Compressor to Bargath Gathering System

Exhibit A



**U.S. Department of the Interior
Bureau of Land Management
White River Field Office
220 E Market St
Meeker, CO 81641**

DECISION RECORD

PROJECT NAME: Stake Springs Compressor Station Tie-In To Bargath's Gathering System

DETERMINATION OF NEPA ADEQUACY NUMBER: DOI-BLM-CO-N05-2014-0108-DNA

DECISION

It is my decision to implement the Proposed Action, as mitigated in DOI-BLM-CO-N05-2014-0108-DNA, authorizing the construction, operation, and maintenance of a natural gas pipeline connecting Mesa Energy Partner's Stake Springs compressor station to Bargath's gathering system.

Mitigation Measures

1. The right-of-way holder shall comply with all federal, state and/or local laws, rules, and regulations addressing the emission of and/or the handling, use, and release of any substance that poses a risk of harm to human health or the environment.
2. The holder shall employ, maintain, and periodically update to the best available technology(s) aimed at reducing emissions, fresh water use and hazardous material utilization, production and releases.
3. All substances that pose a risk of harm to human health or the environment shall be stored in appropriate containers. Fluids that pose a risk of harm to human health or the environment, including but not limited to produced water, shall be stored in appropriate containers and in secondary containment systems at 110 percent of the largest vessel's capacity. Secondary fluid containment systems, including but not limited to tank batteries shall be lined with a minimum 24 mil impermeable liner.
4. Where required by law or regulation to develop a plan for the prevention of releases or the recovery of a release of any substance that poses a risk of harm to human health or the environment, provide a current copy of said plan to the Bureau of Land Management's White River Field Office.
5. Construction sites and all facilities shall be maintained in a sanitary condition at all times; waste materials shall be disposed of promptly at an appropriate waste disposal site. "Waste" means all discarded matter including, but not limited to, human waste, trash, garbage, refuse, oil drums, petroleum products, ashes, and equipment.

6. As a reasonable and prudent right-of-way holder, acting in good faith, the holder will report all emissions or releases that may pose a risk of harm to human health or the environment, regardless of a substance's status as exempt or nonexempt and regardless of fault, to the Bureau of Land Management's White River Field Office at (970) 878-3800.

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8. With the acceptance of this authorization, the commencement of development under this authorization, or the running of thirty calendar days from the issuance of this authorization, whichever occurs first, and during the life of the pipeline, the holder, and through the holder, its agents, employees, subcontractors, successors and assigns, stipulates and agrees to indemnify, defend and hold harmless the United States Government, its agencies, and employees from all liability associated with the emission or release of substances that pose a risk of harm to human health or the environment.

9. Promptly revegetate all disturbed areas with Native seed mix #5 from the White River ROD/RMP also listed below. Seeding rates in the White River ROD/RMP are shown as pounds of Pure Live Seed (PLS) per acre and apply to drill seeding. For broadcast application, double the seeding rate and then harrow to insure seed coverage. Applied seed must be certified and free of noxious weeds, and seed certification tags must be submitted to the Authorized Officer. Woody debris will not be scattered on the pipeline until after seeding operations are completed.

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Alternates: Utah sweet vetch and Globemallow	

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17. In accordance with the 1997 White River RMP/ROD, all trees removed in the process of construction shall be purchased from the BLM. Woody materials required for reclamation shall be removed in whole with limbs intact and shall be stockpiled along the margins of the authorized use area separate from the topsoil piles. Trees that must be removed for construction and are not required for reclamation shall be cut down to a stump height of 6 inches or less prior to other heavy equipment operation. These trees shall be cut in four foot lengths (down to 4 inches diameter) and placed in manageable stacks immediately adjacent to a public road to facilitate removal for company use or removal by the public. Once the disturbance has been recontoured and reseeded, stockpiled woody material shall be scattered across the reclaimed area where the material originated. Redistribution of woody debris will not exceed 20percent ground cover. Limbed material shall be scattered across reclaimed areas in a manner that avoids the development of a mulch layer that suppresses growth or reproduction of desirable vegetation. Woody material will be distributed in such a way to avoid large concentrations of heavy fuels and to effectively deter vehicle use.

18. Any range improvement projects such as fences or water developments that are damaged or destroyed as a result of implementation of the Proposed Action shall be promptly repaired or

replaced to the degree of functionality prior to commencement of work associated with the Proposed Action. If construction occurs during the livestock use period listed above, the functionality of the allotment boundary fences in section 29 T1S R98W must be maintained through temporary fencing or gates which can be closed while crews are not present at these fence crossings.

19. Suppress dust in dry conditions utilizing water along the pipeline right-of-way where it is adjacent to CR 91 to minimize fugitive dust and maintain good visibility for traffic. Follow Rio Blanco County approved dust suppression methods along CR 91 to minimize dust generated from traffic on the road way.

20. All activities shall comply with all applicable local, State, and Federal laws, statutes, regulations, standards, and implementation plans. This would include acquiring all required State and Rio Blanco County permits, effectively coordinating with existing ROW holders, and implementing all applicable mitigation measures required by each permit.

21. The applicant shall provide the BLM Authorized Officer with data in a format compatible with the WRFO's ESRI ArcGIS Geographic Information System (GIS) to accurately locate and identify the ROW and all constructed infrastructure, (as-built maps) within 60 days of construction completion. Acceptable data formats are: (1) corrected global positioning system (GPS) files with sub-meter accuracy or better; (2) ESRI shapefiles or geodatabases; or at last resort, (3) AutoCAD .dwg or .dxf files. Option 2 is highly preferred. In ALL cases the data must be submitted in UTM Zone 13N, NAD 83, in units of meters. Data may be submitted as: (1) an email attachment; or (2) on a standard compact disk (CD) in compressed (WinZip only) or uncompressed format. All data shall include metadata, for each submitted layer, that conforms to the Content Standards for Digital Geospatial Metadata from the Federal Geographic Data Committee standards. Questions should be directed to WRFO BLM GIS staff at (970) 878-3800.

22. All construction activity shall cease when soils or road surfaces become saturated to a depth of three inches unless there are safety concerns or if activities are otherwise approved by the Authorized Officer (AO).

23. In order to protect public land health standards for soils, erosion features such as riling, gullying, piping and mass wasting on the surface disturbance or adjacent to the surface disturbance as a result of this action will be addressed immediately after observation by contacting the Realty Specialist and submitting a plan to assure successful soil stabilization with BMPs to address erosion problems.

24. Topsoil will be removed to a depth of 6-8 inches or as determined on-site by BLM in areas of surface disturbance and for soil storage planned for longer than one year. Topsoil piles will be covered, seeded, labeled and stored unmixed with other soils for spreading during reclamation.

25. During pipeline construction, the ROW will remain undisturbed to the maximum extent possible. That is, only the minimum necessary disturbance will occur to make the working surface safe and passable. Topsoil will not be removed under areas used for the storage of soils and, if possible, topsoil will not be removed from working surfaces.

26. Under no circumstances will topsoil, soil material below or adjacent to the trench spoils or subsoil excavated from the trench down to the ERD (Effective Rooting Depth) for the reclamation plants (Reclamation ERD) be used as padding in the trench, to fill sacks for trench breakers, or for any other use as construction material. Reclamation ERD will be a minimum of 16 inches and a maximum of 24 inches below the ground surface for all soils.

27. All areas where the topsoil has been removed and soils have become compacted will be ripped to a depth of 18 inches below the finished grade or to bedrock before topsoil is respread. Another suitable method of de-compaction may be used before topsoil is re-spread with approval of the BLM AO. Areas where the topsoil has not been removed, but have been compacted, must be de-compacted by disking or other methods to prepare the soils for reclamation.

28. If, after initial construction activities are completed and if soil productivity is diminished from its pre-disturbance condition, then reseeding, hydro-mulching or other efforts will be initiated to re-establish soil productivity during reclamation activities.

29. After pipeline construction activities are completed the holder will be responsible for taking measures to prevent off-road vehicle use along the pipeline ROW until reclamation has been successful or as directed by the AO.

Additional Mitigation (Updated Conditions of Approval for Cultural and Paleontological Resources)

30. The holder is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.

31. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The holder will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The holder, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

32. Pursuant to 43 CFR 10.4(g), the holder must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the holder must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

33. The holder is responsible for informing all persons who are associated with the project

operations that they will be subject to prosecution for disturbing or collecting vertebrate or other scientifically important fossils, collecting large amounts of petrified wood (over 25 lbs./day, up to 250 lbs./year), or collecting fossils for commercial purposes on public lands.

34. If any paleontological resources are discovered as a result of operations under this authorization, the holder or any of his agents must stop work immediately at that site, immediately contact the BLM Paleontology Coordinator, and make every effort to protect the site from further impacts, including looting, erosion, or other human or natural damage. Work may not resume at that location until approved by the AO. The BLM or designated paleontologist will evaluate the discovery and take action to protect or remove the resource within 10 working days. Within 10 days, the holder will be allowed to continue construction through the site, or will be given the choice of either (a) following the Paleontology Coordinator's instructions for stabilizing the fossil resource in place and avoiding further disturbance to the fossil resource, or (b) following the Paleontology Coordinator's instructions for mitigating impacts to the fossil resource prior to continuing construction through the project

35. All excavations into the alluvium of the drainages in the project shall be monitored by an approved archaeologist. The archaeologist must be present on site before the beginning of any excavations.

COMPLIANCE WITH LAWS & CONFORMANCE WITH THE LAND USE PLAN

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

PUBLIC INVOLVEMENT:

The BLM informed the public about this project by listing it on the online WRFO NEPA Register on July 15, 2014 and a copy of the completed Determination of NEPA Adequacy will be posted on the WRFO website.

RATIONALE

The proposal for the construction, operation, and maintenance of a natural gas pipeline to connect the Stake Springs compressor station to Bargath's existing gas gathering pipeline system, in concert with the applied mitigation, conforms to the land use plan. The NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA.

ADMINISTRATIVE REMEDIES

This decision shall take effect immediately upon the date it is signed by the Authorized Officer and shall remain in effect while any appeal is pending unless the Interior Board of Land Appeals issues a stay (43 CFR 2801.10(b)). Any appeal of this decision must follow the procedures set forth in 43 CFR Part 4. Within 30 days of the decision, a Notice of Appeal must be filed in the office of the Authorized Officer at White River Field Office, 220 East Market St., Meeker, CO 81641 with copies sent to the Regional Solicitor, Rocky Mountain Region, 755 Parfet St., Suite 151, Lakewood, CO 80215, and to the Department of the Interior, Board of Land Appeals, 801 North Quincy St., MS300-QC, Arlington, VA, 22203. If a statement of reasons for the appeal is

not included with the notice, it must be filed with the Interior Board of Land Appeals at the above address within 30 days after the Notice of Appeal is filed with the Authorized Officer.

SIGNATURE OF AUTHORIZED OFFICIAL:



Field Manager

DATE SIGNED:

08/26/2014

